

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LARRY FREUDENBERG, Individually And On
Behalf of All Others Similarly Situated,
Plaintiff,

Civil Action No. 07-cv-8538 (RWS)

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,
Defendants.

CLASS ACTION

WILLIAM BOSTON, Individually And On
Behalf Of All Others Similarly Situated,
Plaintiff,

Civil Action No. 07-cv-8808 (RWS)

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,
Defendants.

ROBERT D. THURMAN, Individually And On
Behalf Of All Others Similarly Situated,
Plaintiff,

Civil Action No. 07-cv-9651 (RWS)

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,
Defendants.

WENDY M. DAVIDSON, individually and on
behalf of all others similarly situated,
Plaintiff,

Civil Action No. 07-cv-10400 (RWS)

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,
Defendants.

**NOTICE OF SUPPLEMENTAL AUTHORITY
SUBMITTED BY THE KRISTEN-STRAXTON GROUP**

PLEASE TAKE NOTICE of the Letter to the Honorable Robert W. Sweet from David A.P.

Brower, Esq., counsel for proposed lead plaintiff, the Kristen-Straxton Group, dated July 7,

2008, annexing the recent decision in *CSX Corp. v. The Children's Investment Fund Management (UK) LLP*, No. 08 Civ. 2764 (LAK), 2008 U.S. Dist. LEXIS 46039 (S.D.N.Y. June 11, 2008), as Exhibit A thereto.

Dated: July 7, 2008

Respectfully submitted,

BROWER PIVEN
A Professional Corporation

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*Counsel for the Kristen-Straxton Group and
Proposed Lead Counsel for the Class*